



# सरकारी गजट, उत्तराखण्ड

उत्तराखण्ड सरकार द्वारा प्रकाशित

## रुड़की

खण्ड-9] रुड़की, शनिवार, दिनांक 15 मार्च, 2008 ई0 (फाल्गुन 25, 1929 शक सम्वत्) [संख्या-11

### विषय-सूची

प्रत्येक भाग के पृष्ठ अलग-अलग दिये गए हैं, जिससे उनके अलग-अलग खण्ड बन सकें

| विषय   | पृष्ठ संख्या | वार्षिक चन्द्रा |
|--|--------------|-----------------|
| सम्पूर्ण गजट का मूल्य  | —            | ४0              |
| भाग 1-विज्ञप्ति-अवकाश, नियुक्ति, स्थान-नियुक्ति, स्थानान्तरण, अधिकार और दूसरे वैयक्तिक नोटिस   | 169-177      | 3075            |
| भाग 1-क-नियम, कार्य-विधियां, आज्ञाएं, विज्ञप्तियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया   | 47-56        | 1500            |
| भाग 2-आज्ञाएं, विज्ञप्तियां, नियम और नियम विधान, जिनको केन्द्रीय सरकार और अन्य राज्यों की सरकारों ने जारी किया, हाई कोर्ट की विज्ञप्तियां, भारत सरकार के गजट और दूसरे राज्यों के गजटों के उद्धरण     | —            | 975             |
| भाग 3-स्वायत्त शासन विभाग का क्रोड पत्र, नगर प्रशासन, नौटीफाइड एरिया, टाउन एरिया एवं निर्वाचन (स्थानीय निकाय) तथा पंचायतीराज आदि के निर्देश जिन्हें विभिन्न आयुक्तों अथवा जिलाधिकारियों ने जारी किया | —            | 975             |
| भाग 4-निर्देशक, शिक्षा विभाग, उत्तराखण्ड   | —            | 975             |
| भाग 5-एकाउन्टेन्ट जनरल, उत्तराखण्ड   | —            | 975             |
| भाग 6-बिल, जो भारतीय संसद में प्रस्तुत किए गए या प्रस्तुत किए जाने से पहले प्रकाशित किए गए तथा सिलेक्ट कमेटीयों की रिपोर्ट   | —            | 975             |
| भाग 7-इलेक्शन कमीशन ऑफ इण्डिया की अनुविहित तथा अन्य निर्वाचन सम्बन्धी विज्ञप्तियां   | —            | 975             |
| भाग 8-सूचना एवं अन्य वैयक्तिक विज्ञापन आदि   | —            | 975             |
| स्टोर्स पर्वेज-स्टोर्स पर्वेज विभाग का क्रोड पत्र आदि  | —            | 1425            |

## भाग 1

विज्ञप्ति—अवकाश, नियुक्ति, स्थान—नियुक्ति, स्थानान्तरण, अधिकार और दूसरे वैयक्तिक नोटिस

## राजस्व विभाग

## अधिसूचना

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०(1)/18(1)/2007—यूक्ति, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं,

अतः, अब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2006 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्याधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं:-

उत्तराखण्ड (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950)

(अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2006

## 1-संक्षिप्त शीर्षक एवं प्रारम्भ-

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2006 है।

(2) यह तुरन्त प्रवृत्त होगा।

## 2-"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना-

उत्तरांचल (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2006 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०(1)/18(1)/2007, dated December 27, 2007 for general information

## NOTIFICATION

December 27, 2007

No. 91-मु०स०(1)/18(1)/2007--WHEREAS, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

NOW, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2006 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-

THE UTTARAKHAND (THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1950) (ADAPTATION AND MODIFICATION ORDER, 2001) (AMENDMENT) ACT, 2006

## 1. Short title and Commencement--

(1) This order may be called The Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2006

(2) It shall come into force at once



**2. "Uttarakhand" to be read instead of "Uttaranchal"--**

In The Uttaranchal (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2006, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०(2)/18(1)/2007-चूँकि, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं;

अतः, अब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (जौनसार बावर जमींदारी विनाश और भूमि व्यवस्था अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्वधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं:-

**उत्तराखण्ड (जौनसार बावर जमींदारी विनाश और भूमि व्यवस्था अधिनियम, 1956)  
अनुकूलन एवं उपान्तरण आदेश, 2002**

**1-संक्षिप्त शीर्षक एवं प्रारम्भ-**

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (जौनसार बावर जमींदारी विनाश और भूमि व्यवस्था अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002 है।

(2) यह तुरन्त प्रवृत्त होगा।

**2-"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना-**

उत्तरांचल (जौनसार बावर जमींदारी विनाश और भूमि व्यवस्था अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०(2)/18(1)/2007, dated December 27, 2007 for general information:

December 27, 2007

**No. 91-मु०स०(2)/18(1)/2007--WHEREAS**, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

NOW, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The Jaunsar Bhawar Zamindari Abolition and Land Reforms Act, 1956) Adaptation and Modification Order, 2002 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-

**THE UTTARAKHAND (THE JAUNSAAR BHAWAR ZAMINDARI ABOLITION AND LAND  
REFORMS ACT, 1956) ADAPTATION AND MODIFICATION ORDER, 2002**

**1. Short title and Commencement--**

(1) This order may be called The Uttarakhand (The Jaunsar Bhawar Zaimindari Abolition and Land Reforms Act, 1956) Adaptation and Modification Order, 2002.

(2) It shall come into force at once.

## 2. "Uttarakhand" to be read instead of "Uttaranchal"—

In The Uttaranchal (The Jaunsar Bhawar Zamindari Abolition and Land Reforms Act, 1956) Adaptation and Modification Order, 2002, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०(3)/18(1)/2007-चूँकि, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं;

अतः, अब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (कुमायूँ तथा उत्तराखण्ड जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1960) अनुकूलन एवं उपान्तरण आदेश, 2002 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्याधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं :-

### उत्तराखण्ड (कुमायूँ तथा उत्तराखण्ड जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1960) अनुकूलन एवं उपान्तरण आदेश, 2002

#### 1-संक्षिप्त शीर्षक एवं प्रारम्भ-

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (कुमायूँ तथा उत्तराखण्ड जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1960) अनुकूलन एवं उपान्तरण आदेश, 2002 है।

(2) यह तुरन्त प्रवृत्त होगा।

#### 2-"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना-

उत्तरांचल (कुमायूँ तथा उत्तराखण्ड जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1960) अनुकूलन एवं उपान्तरण आदेश, 2002 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०(3)/18(1)/2007, dated December 27, 2007 for general information :

December 27, 2007

No. 91-मु०स०(3)/18(1)/2007--WHEREAS, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

NOW, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The Kumaon and Uttarakhand Zamindari Abolition and Land Reforms Act, 1960) Adaptation and Modification Order, 2002 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-

### THE UTTARAKHAND (THE KUMAON AND UTTARAKHAND ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1960) ADAPTATION AND MODIFICATION ORDER, 2002

#### 1. Short title and Commencement-

(1) This order may be called The Uttarakhand (The Kumaon and Uttarakhand Zamindari Abolition and Land Reforms Act, 1960) Adaptation and Modification Order, 2002.

(2) It shall come into force at once.



**2. "Uttarakhand" to be read instead of "Uttaranchal"—**

In The Uttaranchal (The Kumaon and Uttarakhand Zamindari Abolition and Land Reforms Act, 1960) Adaptation and Modification Order, 2002, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०(4)/18(1)/2007-चूंकि, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं;

अतः, अब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (उ०प्र० जोत चकबन्दी अधिनियम, 1953) अनुकूलन एवं उपान्तरण आदेश, 2002 (संशोधन) अधिनियम, 2005 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्याधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं :-

**उत्तराखण्ड (उ०प्र० जोत चकबन्दी अधिनियम, 1953) अनुकूलन एवं  
उपान्तरण आदेश, 2002 (संशोधन) अधिनियम, 2005**

**1-संक्षिप्त शीर्षक एवं प्रारम्भ-**

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (उ०प्र० जोत चकबन्दी अधिनियम, 1953) अनुकूलन एवं उपान्तरण आदेश, 2002 (संशोधन) अधिनियम, 2005 है।

(2) यह तुरन्त प्रवृत्त होगा।

**2-"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना-**

उत्तरांचल (उ०प्र० जोत चकबन्दी अधिनियम, 1953) अनुकूलन एवं उपान्तरण आदेश, 2002 (संशोधन) अधिनियम, 2005 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०(4)/18(1)/2007, dated December 27, 2007 for general information:

December 27, 2007

**No. 91-मु०स०(4)/18(1)/2007--WHEREAS**, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

Now, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The U.P. Consolidation of Holdings Act, 1953) Adaptation and Modification Order, 2002 (Amendment) Act, 2005 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-

**THE UTTARAKHAND (THE U.P. CONSOLIDATION OF HOLDINGS ACT, 1953)  
ADAPTATION AND MODIFICATION ORDER, 2002 (AMENDMENT) ACT, 2005**

**1. Short title and Commencement-**

(1) This order may be called The Uttarakhand (The U.P. Consolidation of Holdings Act, 1953) Adaptation and Modification Order, 2002 (Amendment) Act, 2005.

(2) It shall come into force at once.

## 2. "Uttarakhand" to be read instead of "Uttaranchal"—

In The Uttaranchal (The U.P. Consolidation of Holdings Act, 1953) Adaptation and Modification Order, 2002 (Amendment) Act, 2005, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०(5)/18(1)/2007-चूँकि, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं:

अतः, जब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (उत्तर प्रदेश नगरीय क्षेत्र जमींदारी उन्मूलन और भूमि सुधार अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्वधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं :-

### उत्तराखण्ड (उत्तर प्रदेश नगरीय क्षेत्र जमींदारी उन्मूलन और भूमि सुधार अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002

#### 1-संक्षिप्त शीर्षक एवं प्रारम्भ-

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (उत्तर प्रदेश नगरीय क्षेत्र जमींदारी उन्मूलन और भूमि सुधार अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002 है।

(2) यह सुष्ठु प्रवृत्त होगा।

#### 2-"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना-

उत्तरांचल (उत्तर प्रदेश नगरीय क्षेत्र जमींदारी उन्मूलन और भूमि सुधार अधिनियम, 1956) अनुकूलन एवं उपान्तरण आदेश, 2002 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०(5)/18(1)/2007, dated December 27, 2007 for general information :

December 27, 2007

No. 91-मु०स०(5)/18(1)/2007--WHEREAS, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

NOW, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The Uttar Pradesh Urban Area Zamindari Abolition and Land Reforms Act, 1956) Adaptation and Modification Order, 2002 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-

### THE UTTARAKHAND (THE UTTAR PRADESH URBAN AREA ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1956) ADAPTATION AND MODIFICATION ORDER, 2002

#### 1. Short title and Commencement--

(1) This order may be called The Uttarakhand (The Uttar Pradesh Urban Area Zamindari Abolition and Land Reforms Act, 1956) Adaptation and Modification Order, 2002.

(2) It shall come into force at once.



**2. "Uttarakhand" to be read instead of "Uttaranchal"—**

In The Uttaranchal (The Uttar Pradesh Urban Area Zamindari Abolition and Land Reforms Act, 1956) Adaptation and Modification Order, 2002, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०(6)/18(1)/2007-बूकि, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं।

अतः अब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2003 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्वधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं :-

उत्तराखण्ड (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950)  
(अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2003

**1-संक्षिप्त शीर्षक एवं प्रारम्भ-**

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2003 है।

(2) यह तुरन्त प्रवृत्त होगा।

**2-"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना-**

उत्तरांचल (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2003 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०(6)/18(1)/2007, dated December 27, 2007 for general information :

December 27, 2007

No. 91-मु०स०(6)/18(1)/2007—WHEREAS, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

NOW, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2003 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-

THE UTTARAKHAND (THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1950) (ADAPTATION AND MODIFICATION ORDER, 2001) (AMENDMENT) ACT, 2003

**1. Short title and Commencement--**

(1) This order may be called The Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2003.

(2) It shall come into force at once.

## 2. "Uttarakhand" to be read instead of "Uttaranchal"—

In The Uttaranchal (The Uttar Pradesh Zamindan Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2003, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

27 दिसम्बर, 2007 ई०

संख्या 91-मु०स०/18(1)/2007—चूंकि, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 के अधीन उत्तराखण्ड शासन, उत्तराखण्ड राज्य के सम्बन्ध में लागू विधि को आदेश द्वारा, निरसन अथवा संशोधन के रूप में, ऐसे अनुकूलन एवं उपान्तरण कर सकता है, जो आवश्यक व समीचीन हैं;

अतः, अब, उत्तरांचल (नाम परिवर्तन) अधिनियम, 2006 (अधिनियम संख्या 52, वर्ष 2006) की धारा 6 द्वारा प्रदत्त शक्तियों का प्रयोग करके राज्यपाल, उत्तरांचल (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2005 को उत्तराखण्ड राज्य में निम्नलिखित प्राविधानों के अध्वधीन लागू रखने की सहर्ष स्वीकृति प्रदान करते हैं :-

उत्तराखण्ड (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950)  
(अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2005

### 1-संक्षिप्त शीर्षक एवं प्रारम्भ—

(1) इस आदेश का संक्षिप्त नाम उत्तराखण्ड (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2005 है।

(2) यह तुरन्त प्रवृत्त होगा।

### 2—"उत्तरांचल" के स्थान पर "उत्तराखण्ड" पढ़ा जाना—

उत्तरांचल (उत्तर प्रदेश जमींदारी विनाश एवं भूमि व्यवस्था अधिनियम, 1950) (अनुकूलन एवं उपान्तरण आदेश, 2001) (संशोधन) अधिनियम, 2005 में जहाँ-जहाँ "उत्तरांचल" आया है, वहाँ-वहाँ वह शब्द "उत्तराखण्ड" पढ़ा जायेगा।

आज्ञा से,

एन० एस० नपलच्याल,  
प्रमुख सचिव।

In pursuance of the provisions of Clause (3) of Article 348 of the Constitution of India, the Governor is pleased to order the publication of the following English translation of notification no. 91-मु०स०/18(1)/2007, dated December 27, 2007 for general information :

December 27, 2007

No. 91-मु०स०/18(1)/2007--WHEREAS, under section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Uttarakhand Government may, by order, make such adaptation and modification of the law by way of repeal or amendment, as necessary or expedient;

NOW, THEREFORE, in exercise of the powers conferred by section 6 of the Uttaranchal (Alteration of Name) Act, 2006 (Act No. 52 of 2006), the Governor is pleased to direct that The Uttaranchal (The Uttar Pradesh Zamindan Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2005 shall have applicability to the State of Uttarakhand, subject to the Provisions of the following order :-



THE UTTARAKHAND (THE UTTAR PRADESH ZAMINDARI ABOLITION AND LAND REFORMS ACT, 1950) (ADAPTATION AND MODIFICATION ORDER, 2001) (AMENDMENT) ACT, 2005

**1. Short title and Commencement—**

(1) This order may be called The Uttarakhand (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2005.

(2) It shall come into force at once.

**2. "Uttarakhand" to be read instead of "Uttaranchal"—**

In The Uttaranchal (The Uttar Pradesh Zamindari Abolition and Land Reforms Act, 1950) (Adaptation and Modification Order, 2001) (Amendment) Act, 2005, wherever the expression "Uttaranchal" occurs, it shall be read as "Uttarakhand".

By Order,

**N. S. NAPALCHYAL,**  
Principal Secretary.

**DEPARTMENT OF ENERGY**

**ORDER**

March 04, 2008

**No. 347/1/2008-02-02(3)-20/2003--**In exercise of power conferred by Sub-section (5) of Section 82 of Electricity Act, 2003, the Governor of Uttarakhand State is pleased to appoint Shri Anand Kumar, Secretary, UERC as a Member of the Uttarakhand Electricity Regulatory Commission (UERC). The terms and conditions of appointment shall be as per the statutory provisions, rules and regulations in this regard.

**SHATRUGHNA SINGH,**  
Secretary.



# सरकारी गजट, उत्तराखण्ड

## उत्तराखण्ड सरकार द्वारा प्रकाशित

रुड़की, शनिवार, दिनांक १५ मार्च, २००८ ई० (फाल्गुन २५, १९२९ शक सम्वत्)

भाग १-क

नियम, कार्य-विधियां, आझार, विज्ञापियां इत्यादि जिनको उत्तराखण्ड के राज्यपाल महोदय, विभिन्न विभागों के अध्यक्ष तथा राजस्व परिषद् ने जारी किया

UTTARAKHAND ELECTRICITY REGULATORY COMMISSION

NOTIFICATION

March 11, 2008

No. F-9(19)/RG/UERC/2008/1194—In exercise of powers vested under section 181 read with Sections 61, 62 and 86 of the Electricity Act, 2003 and all powers enabling it in that behalf, the Uttarakhand Electricity Regulatory Commission hereby makes the following Regulations for specifying the Annual Escalation Factor to be used for Generating Company/Licensee.

### Chapter 1 : Preliminary

#### 1. Short Title, Commencement and Interpretation :

(1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions for Determining Escalation Factor) Regulations, 2008.

(2) These Regulations shall come into force from the date of their publication in the Official Gazette.

(3) These Regulations shall extend to the whole State of Uttarakhand.

#### 2. Definitions and Interpretation :

(1) In these Regulations, unless the context otherwise requires —

(a) "Act" means the Electricity Act, 2003 (36 of 2003) including amendments thereto

(b) "Year" means a Financial Year comprising of the period commencing on 1st April of calendar year and ending on 31st March of the subsequent calendar year.

(2) Words and Expressions used and not defined in these Regulations but defined in the Act or UERC (Terms and Conditions for Determination of Hydro Generation Tariff) Regulations, 2004 or UERC (Terms and Conditions for Determination of Transmission Tariff) Regulations, 2004 or UERC (Terms and Conditions for Determination of Distribution Tariff) Regulations, 2004 shall have meaning respectively assigned to them in the Act or said Regulations (which are referred to as relevant tariff regulations).



## Chapter 2 : Computation of Escalation Factor

### 3. Applicability of Escalation Factor :

1. The annual escalation factor for compensating the generating company/licensee for inflationary increases shall be determined for each financial year by applying a weighted average of inflation in Consumer Price Index for Industrial Workers (CPI\_IW) and an index of Select Components of Wholesale Price Index (WPI\_SC).

2. The annual escalation factor determined in accordance with these Regulations shall be used for *inter alia* the following :-

- determination of annual escalation in O&M Expenses for licensees/generating companies
- determination of annual escalation for ceiling of capital cost determined in relevant regulations for financial years subsequent to the year of issuance of those regulations; and
- for any other purpose as may be deemed appropriate by the Commission.

### 4. Actual Escalation Factor for Past Years :

1. Actual escalation factor (EF<sub>k</sub>) for a particular year (k<sup>th</sup> year) shall be calculated from published data using the following formula :-

Calculation of CPI\_IW + 0.6 x Infl WPI\_SC<sub>k</sub> (For The main Generating Companies)

$$EF_k = 0.55 \times \text{Infl CPI\_IW}_k + 0.45 \times \text{Infl WPI\_SC}_k \text{ (For Others)}$$

Where

$\text{Infl CPI\_IW}_k$  = Annual Average Inflation in CPI\_IW for k<sup>th</sup> Year

$$\text{Infl CPI\_IW}_k = \frac{\text{CPI\_IW}_k - \text{CPI\_IW}_{k-1}}{\text{CPI\_IW}_{k-1}} \times 100$$

$\text{Infl WPI\_SC}_k$  = Annual Average Inflation in WPI\_SC for k<sup>th</sup> Year

$$\text{Infl WPI\_SC}_k = \frac{\text{WPI\_SC}_k - \text{WPI\_SC}_{k-1}}{\text{WPI\_SC}_{k-1}} \times 100$$

$\text{CPI\_IW}_k$  = Annual Average CPI\_IW for the k<sup>th</sup> Year

$\text{CPI\_IW}_{k-1}$  = Annual Average CPI\_IW for the year preceding k<sup>th</sup> year

$\text{WPI\_SC}_k$  = Annual Average WPI\_SC for the k<sup>th</sup> Year

$\text{WPI\_SC}_{k-1}$  = Annual Average WPI\_SC for the year preceding k<sup>th</sup> Year

(2) CPI\_IW shall be taken as directly published by the Government.

WPI\_SC shall be computed from disaggregated data on wholesale prices published by Ministry of Industry using the following formula

$$\text{WPI\_SC} = \frac{\sum w_i \text{WPI}_i}{\sum w_i}$$

Where

WPI<sub>i</sub> is the wholesale price index of the i<sup>th</sup> commodity; and

w is the respective weight

4. WPI SC may be obtained as a weighted average of relevant components selected from disaggregated WP series 1993-94=100 as given below for Transmission Licensee and Other Licensees, Generating Companies

| COMMODITIES  | WEIGHT (w)                |            |
|--|---------------------------|------------|
|  | For Transmission Licensee | For Others |
| 1 Lubricants   | -                         | 0.16367    |
| 2 Cotton Cloth   | 0.90306                   | 0.90306    |
| 3 Jute, Hemp and Mesta Cloth                           | -                         | 0.37551    |
| 4 Paper & Paper Products                               | 2.04403                   | 2.04403    |
| 5 Rubber & Plastic Products                            | 2.38819                   | 2.38819    |
| 6 Basic Heavy Inorganic Chemical                       | -                         | 1.44808    |
| 7 Basic Heavy Organic Chemical                         | -                         | 0.45456    |
| 8 Paints, Varnishes & Lacquers                         | 0.49576                   | 0.49576    |
| 9 Turpentine, Synthetic Resins, Plastic materials etc. | 0.74628                   | 0.4628     |
| 10 Matches, Explosives & Other Chemicals               | -                         | 0.94010    |
| 11 Non-Metallurgical Mineral Products                  | 2.51591                   | 2.51591    |
| 12 Basic Metals, Alloys & Metals Products              | 8.34186                   | 8.34186    |
| 13 Machinery & Machine Tools                           | 8.36331                   | 8.36331    |
| 14 Transport Equipment & Parts                         | 4.29475                   | 4.29475    |
| All the Above (WPI SC)                                 | 30.09315                  | 33.47307   |

#### 6. Escalation Factor for Future Tariffs :

The Escalation Factor for future tariff years in the period of applicability of relevant tariff regulations shall be based on the average of annual escalation factors for preceding five years.

2) This average escalation factor shall be used for each financial year subsequent to the mid year of the preceding five year period till current year as well as for future years.

### Chapter 3 : Miscellaneous

#### 6. Savings .

1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.

2) Nothing in these regulations shall bar the Commission from adopting in conformity with provisions of the Act a procedure which is at variance with any of the provisions of these regulations if the Commission in view of the special circumstances of a matter or a class of matters deems it just or expedient for deciding such matter or class of matters.

3) Nothing in these regulations shall expressly or impliedly bar the Commission dealing with any matter or exercising any power under the Act for which no regulations have been framed and the Commission may deal with such matters, powers and functions in a manner as it considers just and appropriate.

#### 7. Powers to Remove Difficulties :

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order give directions, not being inconsistent with the Act, which appears to the Commission to be necessary or expedient for the purpose of removing difficulties.

#### 8. Power to Amend

The Commission may at any time add, vary, alter, modify or amend any provision of these regulations.



## NOTIFICATION

March 11, 2008

**No. F 9(20)/RG/UERC/2008/1195**—In exercise of powers vested under section 181 read with Sections 61 67 and 86 of the Electricity Act, 2003 and all powers enabling it in that behalf, the Uttarakhand Electricity Regulatory Commission hereby makes the following Regulations for specifying the Terms and Conditions for true up of Tariff for Generating Company/Licensee

**Chapter 1: Preliminary****1 Short Title, Commencement and Interpretation :**

- (1) These Regulations may be called the Uttarakhand Electricity Regulatory Commission (Terms and Conditions for True Up of Tariff) Regulations, 2008
- (2) These Regulations shall come into force from the date of their publication in the Official Gazette
- (3) These Regulations shall extend to the whole State of Uttarakhand

**2 Definitions and Interpretation :**

- 1) In these Regulations, unless the context otherwise requires --
  - a. Act means the Electricity Act, 2003 (36 of 2003) including amendments thereto
  - b. Financial Year means period commencing on 1<sup>st</sup> April of calendar year and ending on 31<sup>st</sup> March of the subsequent calendar year
- (2) Words and Expressions used and not defined in these Regulations but defined in the Act or UERC Terms and Conditions for Determination of Hydro Generation Tariff Regulations, 2004 or UERC Terms and Conditions for Determination of Transmission Tariff Regulations, 2004 or UERC Terms and Conditions for Determination of Distribution Tariff Regulations, 2004 and Other Tariff Regulations shall have meaning assigned to them in the Act or said Regulations

**Chapter 2: General Terms and Conditions for True Up****3 Initiation of Proceedings for True Up :**

- (1) The Commission shall undertake a review of actual levels of expenses, revenues and operational parameters in a financial year vis-a-vis the approved levels in the relevant Tariff Order for that financial year either on a Petition moved by the concerned licensee/generating company or suo-moto. While doing so, the Commission after considering the reasons for these variations may permit carrying forward of financial impact of the same to the extent approved by the Commission to the following years. This exercise shall be called true up exercise
- (2) True up exercise for a financial year shall normally be carried out alongwith Tariff determination exercises taken up after the close of that financial year
- (3) True up can be done either based on provisional or audited data and can also be taken up for one or more terms separately as deemed necessary by the Commission. No further true up shall normally be done after a true up exercise based on audited data has been carried out

**4. Procedure for Truing Up :**

1. The Generating Company/Licensee shall file its proposals for pass through of gains/losses due to variations in uncontrollable items alongwith all its future Tariff proposals. The Generating Company/Licensee shall also file details of variations in controllable items alongwith claims for true up as per these regulations for any scrutiny of Commission with these Tariff proposals.
2. Variations on account of uncontrollable items shall be true up on the basis of actual audited information and prudence check by the Commission.

Provided that the claims of any adverse financial impact on Tariff due to true up exercise shall be admitted only if the licensee/generating company, provides sufficient reasons alongwith supporting documents to establish its claims to the satisfaction of the Commission.

3. The variations/gap/surplus admitted by the Commission shall normally be allowed to be carry forward and considered alongwith the next Tariff determination exercise. However, the Commission may if deemed necessary, order for adjustment in the bills of consumers for consumption during the year of true up.

Provided that if such gap is large and it is not feasible to recover pass through them in one year alone, the Commission may take a view to create a regulatory asset, as per the Guidelines provided in clause B.2.2 of the National Tariff Policy, to be amortized in future Tariff years as may be deemed appropriate by the Commission.

Provided further that any surplus/gain/saving due to over achievement of targets for controllable items shall be shared between the consumer and the licensee in the ratio of 50:50.

Provided further that any incentive/penalty or saving/loss due to operational norm that is prescribed in the relevant tariff regulations shall be to the account of licensee/generating company only and shall not be shared with the consumers.

4. The Commission may allow carrying cost of such variations which shall be limited to the interest rate approved for working capital borrowings.

**Chapter 3: Principles for Truing Up****5. Controllable and Uncontrollable Items :**

1. For the purposes of true up, various items of physical and financial performance shall be categorised as "Controllable" and "uncontrollable" depending upon licensee/generating company's ability to manage these items with reasonable control.
2. The Commission will set targets for items or parameters data deemed to be "Controllable" and shall include the following:
  - (a) For Generating Company—



- (i) Gross Station Heat Rate (Thermal),
- (ii) Availability (Thermal)
- (iii) Auxiliary Energy Consumption,
- (iv) Transformation Loss
- (v) Secondary Fuel Oil Consumption (Thermal)
- (vi) Operation and Maintenance Expenses
- (vii) Plant Load Factor/Excess Generation,
- (viii) Capacity Index (Hydro),
- (ix) Debt Equity Ratio
- (x) Interest on Working Capital

(b) For Transmission Licensee –

- (i) Availability of Transmission System,
- (ii) Operation and Maintenance Expenses,
- (iii) Auxiliary Consumption in Sub-stations,
- (iv) Debt Equity Ratio,
- (v) Interest on Working Capital

(c) For Distribution Licensee--

- (i) Distribution Loss
- (ii) Collection Efficiency
- (iii) Operation and Maintenance Expenses
- (iv) Debt Equity Ratio
- (v) Interest on Working Capital
- (vi) Quality of Supply Related Performance Parameters

3. The following parameters shall be considered as Uncontrollable --

(a) For Generating Company--

- (i) Capital expenditures for projects approved by Commission,
- (ii) Capital Structure for approved additional capitalization subject to prescribed debt equity norm and approved financial package
- (iii) Depreciation on approved capitalizations,
- (iv) Interest on loans as per approved financial package
- (v) Foreign Exchange Rate Variation
- (vi) Income tax (to the extent it arises from regulated business)
- (vii) Return on Equity
- (viii) Non tariff Income

## (b) For Transmission Licensee--

- (i) Capital expenditures for projects approved by Commission,
- (ii) Capital Structure for approved additional capitalization subject to prescribed debt equity norm and approved financial package,
- (iii) Depreciation on approved capitalizations,
- (iv) Interest on loans as per approved financial package,
- (v) Foreign Exchange Rate Variation,
- (vi) Income tax (to the extent it arises from regulated business),
- (vii) Return on Equity,
- (viii) Non-tariff Income.

## (c) For Distribution Licensee--

- (i) Capital expenditures for projects approved by Commission,
- (ii) Capital Structure for approved additional capitalization subject to prescribed debt equity norm and approved financial package,
- (iii) Depreciation on approved capitalizations,
- (iv) Interest on loans as per approved financial package,
- (v) Foreign Exchange Rate Variation,
- (vi) Income tax (to the extent it arises from regulated business),
- (vii) Return on Equity,
- (viii) Non-tariff Income.

## (d) For Retail Supply Licensee--

- (i) Power Purchase Volume and Cost (including UI Overdrawals),
- (ii) UI underdrawals,
- (iii) Sales Mix and Revenue at approved tariff,
- (iv) Capital expenditures for projects approved by Commission,
- (v) Capital Structure for approved additional capitalization subject to prescribed debt equity norm and approved financial package,
- (vi) Depreciation on approved capitalizations,
- (vii) Interest on loans as per approved financial package,
- (viii) Foreign Exchange Rate Variation,
- (ix) Income tax (to the extent it arises from regulated business),
- (x) Return on Equity,
- (xi) Non-tariff Income.

**6. Treatment of Controllable and Uncontrollable Items :**

- (1) The Generating Company / Licensee shall be entitled for recovery of any financial loss on account of variations in uncontrollable items / parameters specified above. Similarly, Commission may adjust the financial gains due to variations in these parameters during trueing up.

Provided that any adverse financial impact for variation in uncontrollable items due to lapse on part of the generating company/licensee or its suppliers/contractors shall not be allowed in truing up.

- (2) The Generating Company/Licensee shall not be entitled for recovery of any financial loss on account of under performance on targets for controllable items/parameters specified above.

Provided that variations in controllable items on account of factors beyond the control of the generating company such as force majeure, change of law, due to decree or award of any court or due to actual rate of annual escalation or rate of interest as per approved terms of loan being different from the approved level. However, any penalty or compensation or fine paid by the generating company/licensee under the directions of any judicial/quasi-judicial body shall normally not be considered for pass through in truing up, unless provided otherwise.

- (3) Any financial gain on account of over performance, with respect to the targets set for controllable items, shall be allowed to be retained by the Generating Company/Licensee and shall not be adjusted in Tariff.
- (4) Any financial loss or gain due to incentive or penalty/disincentive mechanism specified in the Regulations/Orders of the Commission shall not be adjusted in Tariff during truing up.
- (5) The Commission shall be entitled to make suitable adjustments for under achievement/over achievement of performance targets fixed for additional capitalization, quality of supply and customer service parameters.

#### 7. Contingency Reserve :

- (1) The consumer share of the gains in controllable items shall be treated as and transferred to a contingency reserve/regulatory liability to be used for maintaining stability in consumer Tariffs, if deemed appropriate by the Commission.
- (2) The contingency reserve shall be kept in a separate account and shall be effectively invested and managed to earn returns, which shall be credited to the reserve, based on market conditions ensuring adequate liquidity.
- (3) This reserve shall not be utilized for speculative purposes.
- (4) There shall be yearly additions and drawals to/from the contingency reserve account as may be directed by Commission based on performance of the licensee/generating company.
- (5) The use of this reserve in any other manner shall be only with the prior approval of the Commission.
- (6) The licensee/generating company shall maintain separate account for contingency reserve and reflect the balance in the contingency reserve account in the balance sheet.
- (7) The Commission may, in exceptional circumstances, permit the licensee/generating company to make good the surplus/saving alongwith or without carrying cost, if the same is not available with it in cash form, in future years through efficiency gains as may be deemed appropriate by the Commission.

### Chapter 4: Truing Up of Various Components of Tariff

#### 8. True up of Sales and Power Purchase for Distribution and Retail Supply Licensee :

- (1) The variation in actual power purchase volume and cost (including UI overdrawals) vis-à-vis the level approved for that financial year that is attributable to State consumption shall be allowed to be pass through during true up after applying merit order principle.



Provided that Commission shall be entitled to disallow power purchase costs that is either not purchased on merit order (except for those exempted from merit order purchase) or is incurred without taking prior approval of the Commission (except UI overdrawals and short term purchases as per Guidelines, if any, of the Commission)

- (2) In case, actual distribution loss level is lower/higher than the target, actual power purchase and associated cost shall be considered subject to conditions as specified in (1) above. Target sales shall be derived by applying target distribution and transmission loss level on actual power purchase admitted by Commission and excess/(short) sales above/below the target shall be determined by subtracting target sales from actual sales. For the purposes of valuation of excess sales in financial terms to determine financial gain/(loss) in over-achieving/under-achieving the target, the average rate of billing for actual sales shall be taken assuming the sales mix to be an uncontrollable factor
- (3) Actual revenues at approved Tariffs shall be considered for working out average rate of billing. However, the Commission will be entitled to carry out suitable corrections in revenues if the same are not in accordance with the approved Tariff.

#### 9. Truing Up of Other Components of Tariff :

- (1) Truing up of projected additional capitalization, its financing and depreciation thereon shall be done as per relevant regulations
- (2) Variation of Interest Rates as per approved financial package of the Project shall be allowed to be pass through. No change in scheduled re-payments shall normally be considered. Interest on default in payment of principal or interest shall not be normally considered.
- (3) Variation in O&M Expenses due to actual escalation rate, to be determined on the basis of separate Regulations on the subject, being different from that approved in the Tariff Order shall be considered as pass through.

Provided that no adjustment shall be required to be done if the variation is within 10% of approved level.

- (4) Any variation in O&M expenses because of wage revision due to Government Orders in Government owned companies following Government pay structure may be permitted by the Commission, provided that the claim is substantiated by adequate reason and supporting documents.
- (5) Non-tariff revenues shall normally be taken at actuals unless the same needs to be modified as per Commissions directives/regulations.

### Chapter 5: Miscellaneous

#### 10. Savings :

- (1) Nothing in these Regulations shall be deemed to limit or otherwise affect the power of the Commission to make such orders as may be necessary to meet the ends of justice.
- (2) Nothing in these regulations shall bar the Commission from adopting a procedure which is at variance with any of the provisions of these regulations, if the Commission, in view of the special circumstances of a matter or a class of matters, deems it just or expedient for deciding such matter or class of matters, in so far as the same is in conformity with provisions of the Act.

- (3) Nothing in these regulations shall, expressly or impliedly, bar the Commission dealing with any matter or exercise any power under the Act for which no regulations have been framed, and the Commission may deal with such matters, powers and functions in a manner, as it considers just and appropriate.

#### 11. Powers to Remove Difficulties :

If any difficulty arises in giving effect to any of the provisions of these regulations, the Commission may by general or special order give directions, not being inconsistent with the Act, which appears to the Commission to be necessary or expedient for the purpose of removing difficulties.

#### 12. Power to Amend :

The Commission may, at any time, add, vary, alter, modify or amend any provision of these regulations.

By Order of the Commission,

**ANAND KUMAR**

*Secretary,*

*Uttarakhand Electricity Regulatory Commission.*